

Appl. No. 10/738,416
Reply to Final Office Action of June 22, 2006

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REMARKS

Claims 1, 3-9, 11-15 are pending in this application. Reconsideration of this application is respectfully requested.

Allowable subject matter

Applicants are grateful to the Examiner for acknowledging the allowable subject matter recited in Claims 1, 3-9 and 11-15.

Claim rejections under 35 U.S.C. §112

The Action rejects Claims 1, 3-9 and 11-15 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The Action states that the phrase "control gate dielectric layer" is not supported by the specification in such a way as to reasonably convey to one of ordinary skill in the art, at the time this application was filed, that the inventor would have possessed the claimed invention. Applicant respectfully disagrees.

These claims are directed to methods of forming a flash memory device. A flash memory device may comprise a floating gate, e.g., floating gate 132, and a control gate, e.g., control gate 148a. Floating gate 132 is formed over a gate dielectric layer, e.g., floating gate dielectric layer 120, and control gate 148a is formed over another gate dielectric layer, e.g., gate dielectric layer 108. As known to those in the art, gate dielectric layers formed under a floating gate and a control gate are generally referred to as "a floating gate dielectric layer" and "a control gate dielectric layer," respectively. It is submitted that the phrase "control gate dielectric layer" is supported by the specification and conveys to those in the art, at the time this application was filed, that Applicant possessed the claimed subject matter.

The Action also rejects these claims, alleging that the term "control" recited in these claims is indefinite. As argued above, one of ordinary skill in the art would have understood what is meant by the phrase "control gate dielectric layer." Applicant submits that the phrase as a whole is clear and definite in compliance with §112, ¶2, i.e., the term "control" modifies "gate" and the phrase "control gate" modifies "dielectric layer."

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Accordingly, reconsideration and withdrawal of the rejections of Claims 1, 3-9 and 11-15 are respectfully requested.

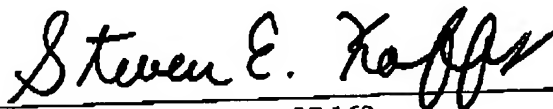
Conclusion

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account 04-1679.

Respectfully submitted,

Dated: 8-18-06



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